



May 9, 2002

Mr. Dan Ray
Grants Officer
CALFED Ecosystem Restoration Program
1416 Ninth Street, Suite 630
Sacramento, CA 95814

RE: Big Break and Marsh Creek Water Quality and Habitat Restoration Program

Dear Mr. Ray:

As you suggested, I am writing to respond to the Selection Panel's recommendation regarding the Big Break and Marsh Creek Water Quality and Habitat Restoration Program, proposal #29. The Conservancy is pleased that the reviewers all recognized the potential water quality and habitat benefits associated with this program and that the selection panel recommended consideration of the proposal as a directed action.

The purpose of this letter is to clarify information provided in the proposal to respond to issues raised by the Selection Panel and the independent reviewers. Because some of the concerns appear to be misunderstandings of design details, it is our hope that this clarification will help move the project forward. The Conservancy believes this is an important program that will restore valuable habitat, improve water quality and enhance outreach and community involvement program throughout the watershed. The restoration project may also provide a small scale template relevant to the restoration of the adjacent Dutch Slough site.

Selection Panel Review: Consider as Directed Action

The Selection Panel requested that the proposal be resubmitted with additional justification for two aspects of the tidal marsh restoration design. The two design elements are 1) the use of tide gates and 2) the benefits associated with the creation of shallow pools. The independent reviewers and other review panels did not identify these elements as problematic.

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The tide gates identified in the proposal are optional design features not essential to the project's success. Furthermore they are designed to be very low-tech, low-cost, low-management features resembling drop-log or flap gate structures more than tidal gates. The gates were included in the design to facilitate research to test optimal rearing and spawning conditions for splittail, salmon, and Delta smelt. When operated, these gates would only require management intervention twice a year – once in the early winter to close them and once in mid-spring to reopen them again.

The shallow water pools were designed to provide rearing and spawning habitat based on input from several prominent fish biologists who participated in a design workshop hosted by the project applicants. The biologists who attended include Dr. Larry Brown of USGS, Dr. Bruce Herbold of EPA, Ted Sommer and Lenny Grimaldo of DWR, and Dr. Chris Kitting of CSUH. The rationale for the pools is explained in detail on pages 15-16 of the proposal. The pools, which are referred to as "backwaters" in the proposal, are designed to create seasonally inundated floodplain conditions for 30 days during the spring in a tidally influenced environment. In the Yolo Bypass, these conditions resulted in excellent spawning and rearing conditions for native fish (Sommer, 2000). In a tidal environment, water levels on the floodplain fluctuate with the tides occasionally dewatering the floodplain entirely, which is inconsistent with rearing and spawning objectives. The backwaters, created by grading slight depressions in the floodplain, are designed to hold some water on the low tides for rearing and spawning fish but to become inundated on high tides to allow fish to migrate back into the main channel. The ponds are also designed to dry-up entirely during long periods in the summer and fall to prevent colonization by exotic fish.

Independent Reviewers' Comments

The Technical Review Panel and one reviewer raise the important concern that the proposed restoration projects will not significantly alter habitat conditions in the watershed and that degradation of the larger landscape would reduce the effectiveness of the projects. The proposal includes six inter-related programs in recognition of the need to work at multiple scales to reduce the negative effects of urbanization and to protect water quality in the watershed. If approved, this program would support and expand education, outreach and water quality monitoring in the watershed. The Natural Heritage Institute and the San Francisco Bay Program of the Coastal Conservancy are currently supporting several acquisition, restoration and planning projects to restore habitat and improve water quality throughout the Marsh Creek watershed.

Without the remedial actions initiated with this proposal, the watershed will continue to discharge polluted run-off into the western Delta. The 30-acre tidal marsh restoration project at the mouth of Marsh Creek is only one important piece of the watershed program, but this project and the upstream creek restoration project could benefit water quality discharged into the Delta since they will filter out pollutants from Marsh Creek.

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Two independent reviewers sought more details on biological and water quality monitoring proposals. Dr. Joy Andrews and Dr. Chris Kitting, who will be the principal investigators for the monitoring program, have previously designed and implemented CALFED funded monitoring programs. The project applicants will work to identify funding sources to continue monitoring beyond the years funded with this grant.

Environmental Compliance Review

The project may indeed require a grading permit from the County and Reclamation Board approval. If funding is provided, the applicants will discuss the project with these agencies. The applicants do not anticipate that either of these permits would delay the project or significantly impact the estimated costs for permitting.

Year one of the detailed budget, provided as an appendix, shows matching funds for the tidal marsh and floodplain restoration project. A portion of those matching funds are envisioned to come from the Coastal Conservancy to pay for project planning costs, including permitting and environmental review. In the Coastal Conservancy's previous experience with CALFED, there has been a significant delay (up to a year) between the funding approval and a funding contract. If funding for this project is approved, the Conservancy's matching funds could be made available in the interim to pay for planning costs, such as beginning the environmental review. Thus, environmental review would not occur prior to CALFED's funding decision, but may occur prior to CALFED funding.

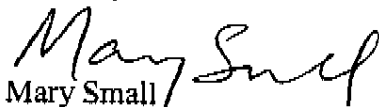
Budget Review

The different state and federal indirect rates apply only to the budget for the CSU-Hayward work (\$689,854 of the total request).

The Coastal Conservancy is requesting 3% of the whole grant amount to pay for contract administration. Based on previous experience, this is a realistic estimate of the actual costs of processing the contract. The 3% administrative cost is separated from project management and program oversight costs. There may be some confusion here as the Conservancy will also be involved in some of the project management. These costs would be billed to the project at an hourly rate. The proposed rate is less than the actual cost of the staff.

I hope this letter has clarified information provided in this proposal. If there are any other questions related to this proposal, I would be happy to provide additional information.

Sincerely,



Mary Small

Project Manager

Coastal Conservancy, San Francisco Bay Program



IRONHOUSE SANITARY DISTRICT

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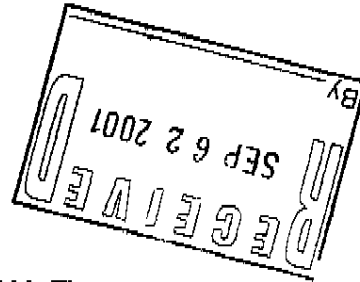
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September 24, 2001

Patrick Wright, Director
CALFED Bay-Delta Program
1416 Ninth Street, #1155
Sacramento, CA 95814



RE: BIG BREAK AND MARSH CREEK WATER QUALITY
AND HABITAT RESTORATION PROPOSAL

Dear Mr. Wright:

The Ironhouse Sanitary District (ISD) supports the CALFED proposal titled "Big Break and Marsh Creek Water Quality and Habitat Restoration". ISD has worked with the Delta Science Center (DSC) and the Natural Heritage Institute (NHI) to plan, design and permit restoration of lower Marsh Creek on ISD property. It is a good plan that meets many CALFED restoration goals and demonstrates ISD's commitment to manage its lands for the benefit of our customers and their immediate environment.

The proposal proponents are continuing to work with our engineers and legal counsel to assure that the project keeps ISD and our operations whole and does not interfere with our responsibility of processing wastewater now and into the future. This exchange is ongoing and it is our intention to resolve all details and contingencies by early December 2001.

Your support of this proposal would validate our efforts to-date and bring the possibility of implementation to reality. Thank you.

Sincerely,


Lenny Byer, President
Board of Directors
IRONHOUSE SANITARY DISTRICT

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isd\CALFED.01

cc: Steve Barbata, Delta Science Center
chron file

sample of 100
supportive form
letters

April 24, 2002

Mr. Dan Ray
CALFED Bay-Delta Program
1416 Ninth Street, Suite 630
Sacramento, CA 95814

Dear Mr. Ray:

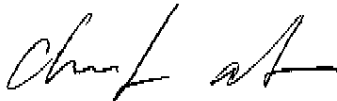
I am writing to urge you to immediately fund the Dutch Slough Tidal Marsh Restoration Project (#30) and the Big Break and Marsh Creek Water Quality and Habitat Restoration Program (#29).

As projects that were recommended as Directed Action, please consider funding the Dutch Slough project before the stated timeframe of early 2003. It is imperative that the landowners know that funding will be made available soon or they will pursue the development of up to 4,500 houses on this site.

As someone who currently uses the recreational resources, appreciates the Delta and is increasingly concerned about uncontrolled development in East Contra Costa County, I believe these projects present an incredible opportunity for my region. The Dutch Slough and Marsh Creek projects have my local support.

The East Contra Costa Shoreline will be a better natural resource due to the incredible funding opportunity provided by CALFED. Thank you for your support for these projects.

Sincerely,



CHRISTINE ADAMS